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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,523	03/20/2001	Hiroshi Yamada	1405.1041	9422

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

CAO, CHUN

ART UNIT	PAPER NUMBER
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2115

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/811,523

Applicant(s)

YAMADA ET AL.

Examiner

Chun Cao

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10-18 is/are rejected.
- 7) ☒ Claim(s) 2 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/20/01 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. Claims 1-18 are presented for examination.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The current title is imprecise.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

4. Figures 4 and 5 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 U.S.C. § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 3-8 and 10-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA), in view of Sellers (Sellers), US patent no. 5,666,541.

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As to claims 1, 3 and 5, AAPA discloses an information processing device configured with at least one interface section enabling a wake-up instruction for starting up operationally stopped functional units in a power-off state or a suspend state, a man-machine interface, a memory, and a processor, connected by a chipset having a bus control function [page 1, lines 16-24], the information-processing device characterized in that:

operational mode for the functional units when started up from either said power-off state or said suspend state being a normal operational mode use-enabling the functional units in their entirety including the man-machine interface, including said interface section having executed a wake-up instruction, said memory, said processor and said chipset [page 1, line 24-page 2, line 12; page 3, lines 4-13].

AAPA fails to suggest that an exclusive operation mode use-enabling some of the functional units on starting up from either said power-off state or said suspend state. In other words, in the exclusive operational mode that enables use of a portion of functions to instruct wake-up upon starting up from either said power-off state or said suspend state.

Sellers discloses that in response to a wake-up signal [col. 1, lines 39-45; col. 3, lines 15-18], switch at least a portion of the computer into a fully powered mode [col. 1, lines 30-33, 47-51; col. 2, lines 44-54]. In summary, Seller teaches that in an exclusive operation mode [mode of operation according to user activity, col. 2, lines 62-67], enables use of a portion of functions to instruct wake-up upon starting up from either said power-off state or said suspend state [col. 1, lines 52-59; col. 5, lines 9-20],

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wherein said exclusive operational mode is terminated, the information-processing device goes to its pre-start-up state, either said power-off state or said suspend state [col. 1, line 66-col. 2, line 2; col. 5, lines 19-22]. Furthermore, Sellers teaches that the interface device selects between normal operation mode and exclusive operational mode according to the meaning of the stroked key [col. 3, lines 1-23].

It would have been obvious to one of ordinary skill in the art at time the invention to combine the teachings of AAPA and Sellers because the specify teachings of Sellers stated above would further reduce the power consumption of the AAPA system and shorten the transition time from reduced powered mode to the operational mode of the AAPA system by only enables necessary function units in response a wake-up signal.

As per claim 4, Sellers teaches of being configured to select the exclusive operational mode, and to supply operational power to and perform information processing on only resources used in the exclusive operational mode, when the information-processing device is started up from a designated said interface unit or said input/output device [col. 1, lines 47-65; col. 3, lines 1-23; col. 5, lines 9-19].

As per claim 6, AAPA discloses that the interface unit is provide with a radio transmission-reception function [page 4, lines 12-17].

7. As to claims 7, 8 and 18 are written in means plus function format and contain the same limitations as claim 1, therefore the same rejection is applied.

As to claims 10-13 are written in means plus function format and contain the same limitations as to claims 3-6 respectively, therefore the same rejection is applied.

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8. As to claims 14-16, AAPA and Sellers together teach the claimed system.

Therefore, AAPA and Sellers together teach the claimed method of steps to carry out the system.

9. As to claim 17, AAPA and Sellers together teach the claimed system. Therefore, AAPA and Sellers together teach the claimed recording medium to carry out the system.

Allowable Subject Matter

10. Claims 2 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Silvester, US patent no. 6,631,469, teaches of waking up a computer from a sleep mode only powered up a part of functional devices in the computer [coll. 3, lines 50-52; col. 4, lines 10-19].

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao at (703) 308-6106. The examiner can normally be reached on Monday-Friday from 7:30 am - 4:00 pm. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor Thomas Lee can be reached at (703) 305-9717. The fax number for this Art Unit is following: Official (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-5631.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Chun Cao

Mar. 2, 2004